



The Task Force on Court Facilities
455 Golden Gate Avenue, San Francisco, CA 94102-3660

Meeting Report

May 26 & 27, 1999

Burbank Hilton/Airport & Convention Center, Burbank, CA

ATTENDEES: TASK FORCE MEMBERS: PRESENT: Hon. Daniel J. Kremer, Chair Mr. Greg Abel Mr. Wylie Aitken Hon. Joan B. Bechtel Ms. Yvonne Campos Mr. John Clarke Mr. Mike Courtney Mr. Hector De La Torre Sheriff Robert T. Doyle Hon. Gary Freeman Mr. David Janssen Mr. Fred Klass Hon. Michael Nail Hon. Wayne Peterson Hon. Charles V. Smith Mr. Anthony Tyrrell ABSENT: Hon. Jerry Eaves Hon. Diane Elan Wick TASK FORCE STAFF: Mr. Robert Lloyd, Project Coordinator / Senior Facilities Planner Mr. Bruce Newman, Facilities Planner Ms. Pat Bonderud, Facilities Planner Ms. Veronica Gomez, Staff Analyst	PRESENTERS: Mr. Dan Smith, Daniel C. Smith & Associates/Vitetta Group Mr. Jay Smith, Daniel, Mann, Johnson & Medenhall Mr. Simon Park, Daniel, Mann, Johnson & Medenhall Mr. Ken Jandura, Spillis Candela Partners Mayor Phil Nyberg, Mayor of Fortuna/ California League of Cities representative CONSULTANTS TO THE TASK FORCE: Mr. Jay Smith, Daniel, Mann, Johnson & Mendenhall Mr. Simon Park, Daniel, Mann, Johnson & Mendenhall Ms. Kathleen Halaszynski, Daniel, Mann, Johnson & Mendenhall Mr. Dan Smith, Daniel C. Smith & Associates/Vitetta Group Mr. Tim Fedorchak, Daniel C. Smith & Associates/Vitetta Group Ms. Kathy Bruns, Daniel C. Smith & Associates/Vitetta Group Mr. Ken Jandura, Spillis Candela & Partners Mr. Jeff Buck, Daniel, Mann, Johnson & Mendenhall (Thursday) GUESTS: Ms. Cathy Knighten, Orange County Mr. Rick Dostal, Orange County Mr. Ronald Guley, Orange County Superior Court Mr. Peter Conlon, Orange County Superior Court Mr. Anthony Williams, Admin. Office of the Courts Mr. Marty Moshier, Admin. Office of the Courts Mr. Art Gomez, San Bernardino County Mr. John Van Whervin, Los Angeles Superior Court Mr. Joseph Fallin, Los Angeles Superior Court Ms. Beverly Bickel, Omni Group, Inc. Mr. Rubin Lopez, California State Association of Counties (CSAC)
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DAY 1 – Wednesday, May 26, 1999

I. INTRODUCTION AND WELCOME – Justice Daniel Kremer

- 1) Justice Kremer opened the Task Force meeting at 10:00 AM. The meeting convened at the Burbank Municipal Courts, 300 E. Olive St., Burbank in the Department G courtroom.
- 2) The Task Force reviewed and unanimously approved the meeting report from the March 1999 Task Force meeting.
- 3) It was announced that the June 16 meeting, which was tentatively scheduled during the March 1999 Task Force meeting, will be held. The purpose of the meeting is to review and approve the final draft of the Court Facility guidelines. The location has changed to San Jose due to booking difficulties in Sacramento.
- 4) Justice Kremer presented the agenda for the Task Force meeting. He highlighted the review of guidelines sections III through XIV, indicating that approval of their content was necessary to keep this phase of the project on schedule. He noted that Sections I & II will be presented to the Task Force for the first time. He emphasized that the presentations will discuss the content and underlying principles of the guidelines while noting changes from the 1991 “California Trial Court Facility Standards.” The Task Force will not be doing a line by line review of the text as was previously done. In Thursday’s session, the consultants will go over the field evaluation methodology, including a proposed “pilot” survey designed to test the data collection and county planning processes.

II. COURTROOM EVALUATION – Mr. Dan Smith

- 1) The Task Force met in Department G of the Burbank Municipal Court. This location was chosen because the size, layout, and dimensions of the courtroom closely approximate those of the proposed multipurpose courtroom guidelines that were tentatively adopted at the March 1999 Task Force meeting. The Task Force met here to confirm their guideline recommendations in a “real-life” courtroom and to ensure that the resultant courtroom was functional and cost effective. The review and discussion focused on the proposed litigation area in the guidelines.
- 2) Some comparisons included:

Proposed Courtroom Guideline	Department “G”
1152 sq. ft. litigation area	1132 sq. ft. litigation area
Clerk Workstation elevated one step to ease document transfer with judicial officer	Clerk Workstation at floor level
Front row of jury box elevated one step with access ramp or lift	Front row of jury box at floor level
6 ft. separation between jury box and public	Glass panel separating jury box from public
18” to 21” bench height	18” bench height
Ceiling above litigation area higher than above public area	Ceiling above public area higher than above litigation area
Separate entries to the courtroom for staff, public, and prisoners	Separate entries to the courtroom for staff, public, and prisoners

- 3) Mr. Jay Smith noted that spectators seated directly behind the clear panel separating the public from the jury may have their view of the courtroom obscured. It was also noted that the close visual proximity between juror and the public (possibly a victim or associate of the accused) may make a juror uncomfortable. Judge Peterson noted that the judge would control the courtroom and could remove spectators in that area if they are bothering the jury. Mr. Clarke questioned whether or not the jurors would lose space for adjusting the position of their chairs if the width of the jury box in Department G was reduced in size to create the 6-foot separation between jury box and public seating.
- 4) The Department “G” litigant tables were positioned such that some jurors were seated behind the attorneys. Although it was noted that table placement varies by individual court culture, the preferred position of the litigant tables would allow the attorneys to see all jurors without turning around. Justice Kremer noted that the Department “G” arrangement provided significant

separation between the public and the litigant tables which was good for criminal cases with in-custody defendants.

- 5) Mr. Dan Smith suggested that witness box in Department "G" could easily be moved forward to accommodate 2 people.
- 6) Mr. Clarke asked if the consultants addressed the placement of the bench in the guidelines. Mr. Smith replied that center, corner and off-center bench locations are all possible with the proposed courtroom size but that no specific arrangement was recommended because of variations in court preference.
 - a) Mr. Clarke asked if the proposed size of the litigation area works with the 3 variations. Mr. Jandura replied that the different layouts would change the configuration of the well area and ADA ramps but noted that all three would produce functional arrangements.
 - b) Mr. Clarke stated that his ranked preference is off-center, center and corner.
 - c) Mr. Jandura noted that the corner placement minimizes the eye movement of the judicial officer necessary to see the entire courtroom.
- 7) The ratio/mix of the different court types that should be included in a courthouse was discussed. Judge Peterson suggested an analysis of caseloads should be done in a specific jurisdiction when a courthouse is designed. It was noted that the use of the small 1100 SF courtroom may impact future flexibility.
- 8) Mr. Van Whervin suggested that, based on local caseload projections, high volume courts requires 60 spectator seats (1800 SF) and 40 spectator seats for full service courtrooms.

III. CSAC COMMENTS REVIEW – Mr. Dan Smith

- 1) The CSAC Advisory Committee on Trial Court Facilities reviewed Sections III through VI of the draft Trial Court Facility Guidelines, as amended on April 7, 1999. Their comments and suggestions were forwarded to the Task Force by Supervisor Charles Smith's letter of May 6, 1999, attached.
- 2) Mr. Dan Smith noted that their comments/suggestions could be categorized into three major areas:
 - a) Word definitions or changes that have little impact on the content of the guidelines,
 - b) Reevaluating the need for prescriptive standards in technical areas such as lighting, HVAC, acoustics,
 - c) Justifying variances from the "California Trial Court Facility Standards (1991)."
- 3) Mr. Klass suggested that footnotes and/or an appendix could be used to reference the source(s) specific guidelines. Mr. Lloyd replied that guidelines that reflect statutes and rules of court or trade industry association standards (I.e. Illuminating Engineers Society (IES)) should be footnoted and the citation given. However, guidelines that reflect the best judgement and recommendations of the Task Force should not be footnoted.
- 4) Ms. Knighten explained that CSAC suggested general principles precede each section. She also added that CSAC recommends removal of furniture recommendations since they are not part of the facility and can draw undue scrutiny from politicians. Mr. Lloyd replied that key pieces of furniture that are critical to the function, space, and layout of a room should be mentioned, for example the number and size of the litigants' tables in the courtroom. He agreed that other non-critical furniture should not be addressed in the guidelines.
- 5) Although CSAC seems to prefer general guidelines, Mr. Smith noted that guidelines need to be specific to be useful. Merely prescribing "adequate" space or facilities is not sufficient. Mr. Lloyd added that key areas need to be more specific to assist architects who are not specialists in court facility design.
- 6) Mr. Smith proposed that the HVAC, lighting, ADA, and acoustics discussion of each section be consolidated in section II to eliminate redundancy and improve the readability of the guidelines. He suggested that other sections only address these areas if the guidelines are unique or particularly critical for a specific space.
- 7) The Task Force reviewed the specific CSAC recommendations and made the following changes to the draft guidelines:
 - a) Section III – Courtroom
 - (1) Paragraph III.6.b Work Surface: Include a statement of purpose for the size of the judicial officer's bench...i.e. keep bench materials in reach, accommodate technology, including video display(s), etc. The work surface size should be included to suggest a

definition of "adequate" workspace. The text should also discuss ergonomic design principles (Mr. Abel emphasized that this is a major issue at Sonoma courts)

- (2) Paragraph III.6.b Physical Dimensions/Characteristics: Explain that 5 ft distance between wall and bench is determined by the turning radius for a wheelchair as required by the ADA.
- (3) Paragraph III.6.b Executive Armchair: Avoid the use of the word "executive" and replace with "Judicial Officer's armchair".
- (4) Paragraph III.6.f Witness Stand: Delete last sentence, first paragraph: "Provisions should be made for the recordation of interpreters at the witness stand" and explain in the second paragraph that the size of the witness stand is needed to accommodate a second person and to comply with ADA.
- (5) Paragraph III.6.f Witness Stand: Mr. Clarke wanted the witness stand to have bullet resistant shielding.
- (6) Paragraph III.6.g Jury Box: Rewrite the jury box discussion to allow the first row of jurors to be seated at floor level but with a preference for a 6" - 7" elevation. Discuss reasons for 6' distance between jury box and public: minimize possible intimidation by jurors from a member of the audience and to allow attorneys at their tables to see jurors with a minimum of head movement (they shouldn't have to look behind themselves). Also, discuss recommended distance between the attorney's table and the jury box and the underlying reason: privacy of attorney/client discussions and to prevent jurors from seeing/reading materials on the attorney's table. Since the type of juror chairs impacts the size of the jury box, change the discussion to say something like: "Space should be provided to allow for portable, ergonomic chairs with height adjustments and writing surfaces. Chairs with wheels are not recommended."

Judge Nail made a motion to approve the data elements of Section III: Courtroom Guidelines as amended above. The motion was seconded by Ms. Campos. The motion was approved unanimously. Approval was for data elements only, all agreed that the text needed reformatting and editing.

- b) Sect IV - Chambers
 - (1) Paragraph IV.1.a Chambers: Private restrooms for judicial officer's was discussed at length. Acting on a motion, The task force voted to retain the restrooms in the guidelines adding the statement: "A restroom should be located in the chambers or provide shared restroom facilities for clustered chambers". They also directed that the guidelines discuss the benefit of private restrooms addressing that they are traditionally supplies, a perk of the office, help to ensure efficient use of judicial time, and minimizes distractions.
 - (2) Paragraph IV.1.b Conference Room/Law Library: Numbering is out of sequence. In first two sentences, change "should" to "may". Include video conference capabilities.
 - (3) Paragraph IV.1.d Support Staff Workstations: Compare sizes and functional elements with relevant Department of General Services' state office space standards and Judicial Council office space standards.
 - (4) Paragraph IV.1.g Robing Room: Change title to "Robing/Conference Room. Change second line to read "One robing/conference room per courtroom is suggested."
- c) Section V - Jury Assembly Area
 - (1) Paragraph V.1.a Jury Assembly Room: Include a matrix showing all locations of duress alarms.
 - (2) Paragraph V.1.e Coffee/Snack Area: Include a refrigerator in the list of kitchen equipment that should be planned for in the coffee/snack area.
 - (3) Paragraph V.5 Electric, Audio, Video, and Data Transmission: Change conduit to wireways in discussion of workstations.
 - (4) Paragraph V.6 Accessibility for the Disabled: Move discussion to Section II and indicate that the jury assembly area must be configured to comply with state building codes and ADA accessibility guidelines
- d) Section VI - Court Reporters Area
 - (1) It was noted the that the functional relationships between court reporters and the court and the location and configuration of their space varies widely by jurisdiction.
 - (2) Paragraph VI.1.b Storage of Tapes & VI.1.c Supply Storage: Rewrite storage needs for Court reporter. Discuss as a shared store room for multiple reporters and/or providing space for lockable storage units (furniture). Clarify whether the 15 - 20 sf of shared storage mentioned in subparagraph a is the same as discussed in b&c.
 - (3) Paragraph VI.2 Functional Relationships: Strike the last sentence that discusses access to the court reporters' area from the public passageway. Remove last sentence "Since the public...."

Mr. Clarke made a motion to approve the data elements for sections 4, 5, 6 as modified above. Mr. Abel seconded. The motion was approved unanimously.

- 8) Mr. Abel said that while the concepts, ideas, and specific guidelines were appropriate and well thought out the presentation of the material was poor; specifically the organization of the document and the quality of writing. He expressed concern about the Task Force's ability to deliver a well organized and written report by the July 1 deadline. He noted that submission of the "preliminary determination of acceptable standards" will be the first publication of the Task Force. He felt that the poor quality of writing could affect the Task Force's credibility. Justice Kremer concurred with the importance of presenting the guidelines in a professional manner. He also noted that delays in completing the guidelines could delay the start of the field work and impact the entire project schedule.

IV. PUBLIC COMMENT PERIOD

- 1) There was no public comment request submitted to the Task Force at this session.

Note: The Task Force adjourned from the Burbank Court and reconvened at the Burbank Hilton/ Airport and Convention Center for the remainder of the 2-day session.

V. LUNCH PRESENTATION– Phil Nyberg, Mayor of Fortuna

- 1) As a representative of the California League of Cities, Mayor Nyberg presented the smaller communities' concerns on access to court services. Attached is a copy of his presentation outline.

VI. PHASE 2: STANDARDS DEVELOPMENT – Mr. Dan Smith

Dan Smith presented the draft guidelines for Sections VII – Court Clerk, Section VIII – Court Administration, Section IX - Alternate Dispute Resolution, Section X – Customer Service Center, Section XI – Court Support Area, Section XII – Court Security Area, Section XIII – In-Custody Defendant Receiving, and Section XIV – Building Support Services for the first time to the Task Force. The following paragraphs outline the discussion of these sections and directed revisions.

- 1) Section VII Court Clerk
 - a) VII.1.a Clerk Administration: Strike out “executive” preceeding "office" in paragraph
 - b) VII.1.b Public Counter: Address space for public computer terminals at the public counter. Include secure room for reviewing public documents/files sized at 25 sf per person expected to use the room. Space to include computer terminals for public's use. A separate conter for filling out forms sized at 25 sf per person should be provided. The forms counter should have a computer terminal incorporated into its design.
 - c) VII.1.c General Clerk’s Work Area: Combine “staff” and “technical” as a single element of the “workstation guidelines” with a size range from 50 to 80 nsf. Mr. Clarke suggested that there is a need to define different workspace requirements for technical versus forms processing staff and to determine the various levels of file storage according to staff functions. Change "lounge" to “breakroom” in the last paragraph and clarify that a breakroom of 150 nsf is appropriate for a staff of 20 or less and that the room should be proportionately larger for more employees. Also indicate that this is not a mandatory space.
 - d) VII.1.d Records Process and Storage Area: Mr. Clarke stressed that the file documednt review ares needs to be secure so that files will not be taken. Justice Kremer suggested that this element be highlighted
 - e) VII.3 Security: Security discussion should be moved to Section 2 or Section 12 Court Security Operations. Change “shall” to “should” throughout this subsection. Rewrite the first paragraph regarding duress alarm.
- 2) Section VIII Court Administration
 - a) The Task Force members discussed extensively the organization of Sections VII and VIII relative to the actual Trial Court organizations. Mr Abel noted that in Sonoma the court clerk and court administration staffs are both under the umbrella of the Court Executive. Mr. Clarke sees three distinct organizational groupings under the Court Executive : operational (personnel, office equipment, etc), recordation and case management (caseloads, calendar, coordination with DA, etc). Dan Smith stated that “court administration”, as discussed in the draft guidelines, is the same as court management and that “court clerk” includes the clerical functions of the court. Judge Peterson suggested that “administration” be replaced by “operations” since staff position titles and tasks are not clearly defined from county to county. Dan Smith suggested merging sections VII and VIII into a “Court Operations” section. The Task Force agreed that Section VII - Court Clerk with Section VII - Court Administration should be combined into a single section titled “Court Operations.”
 - b) VIII.1.a Administrative Offices: Delete "...with an average of 120 nsf."
 - c) VIII.1.b Case Management/Assignment Area: Discuss that court administrative functions historically done by the counties are being assumed by the courts as a result of AB 233 and SB4. The courts are either contracting out for the new service or staffing a new function. This change may computer (technology) requirements.
 - d) VIII.1.c Data Processing Support: Computer room requirements needs to be discussed in more depth either in Section VIII or XI – Court Support.
 - e) VIII.1.d Fiscal/Budget Offices: Discuss revenue collection as separate bullets (could also discuss in Clerk's Section).
 - f) VIII.1.d Human Resources Office: Change "would" to "could". Include discussion of private office for personnel officer and offices/workstations for other staff while addressing personnel privacy issues.
 - g) VIII.2 Functional Relationships: Eliminate discussion of locating court administration near the Presiding Judge since the assignment rotates and the judges don't always change chambers/courtrooms. Change the first sentence
 - h) VIII.3 Security: Change the first bullet to indicate that a duress alarm may be considered in private offices.

A motion was made to approve the contents of Sections 7 & 8 with the above changes. The motion was seconded and approved.

- 3) Section IX Alternative Dispute Resolution (ADR)/Mediation Services
 - a) Mr. Clarke noted that there are many different types of ADR used differently in different courts, noting that mediation is only one type. Dan Smith stated that his intent when writing this section was to make generalized statements covering all methods. He recognized that family law mediation is different than civil mediation. Justice Kremer remphasized the variability of ADR use between courts.
 - b) It was noted that there are standards for Family Law mediation facilities. A new statute will soon broaden requirements for juvenile court.
 - c) The consensus of Task Force members was that this section needs to be totally revised. It should clearly state that ADR space is strictly a local option and may or may not be included in the courthouse. The rewrite should include discussion of all types of ADR, including arbitration and mediation. Family mediation needs to be a separate discussion emphasizing the need for a high level of security. Since Mediation Services are a subset of ADR reference to it should be removed from title.
 - d) When rewriting this section, it needs to be decided if the guidelines should address arbitration/mediation rooms or just offices for staff administering the program (e.g. LA does most arbitration/mediation off-site, typically at an attorney's office but does have staff assigned to administer the program)?

This section was not approved and was referred back to staff/consultants for a re-write.

- 4) Section X Customer Service Center/Pro Se/Ombudsman Services
 - a) Dan Smith noted that the functions discussed in this section are the ones that were contained in the outline of court functions previously accepted by the Task Force. He also noted that he used programs from other states in developing the draft guidelines.
 - b) The introductory discussion should make clear that these spaces are optional, and will not be found in all courthouses.
 - c) Space for court investigators (probate, conservatorship, guardianship, etc) is missing and should be included in the guidelines, possibly in a "catch all" section entitled "other office functions." This subsection could be organized by "with public counter" and "without public counter" and include open office space and a supervisor's office.
 - d) Change "pro se" to "pro pers" and change "ombudsman" to "facilitator" wherever discussed in this section.
 - e) Space sizes (i.e. square feet) should be the same for similar functions. Review the guidelines to ensure that they are consistent in this regard (e.g. change 64 sq.ft. to 60 sq.ft.)
 - f) X.1.d Childcare Area: Indicate that children's waiting room is required by statute (give citation). Combine childcare with child waiting area in Section XI
 - g) X.1.e Law and Justice Education Center: Small claims advisor is required by law. Need to include space for this function in guidelines.

A motion was made to approve the contents of Section 10 with the above changes. The motion was seconded and approved unanimously.

- 5) Section XI Court Support Area
 - a) This section needs to include a discussion of a Media Room. Computer room requirements should also be discussed in depth here (or in Section 8 - Court Administration (Operations))
 - b) XI.1.a Children's Waiting Area: Explain difference between children's waiting area in this section and that in Section X or combine the two.
 - c) XI.1.b Attorney Interview Rooms: Rename as "Victim/Witness/Attorney Conference Room." Describe how attorney's interview rooms are used in relationship to the court's functions. Determine if attorney's rooms are better addressed in the courtroom section (3) or the ADR section (9). Change the ratio in the third paragraph from 1:1 to 1:2 interview rooms per courtroom.

- d) XI.1.c Attorney Lounge Area: Attorney Lounges are not part of California court culture and would likely be the first space eliminated due to budget cuts. Change this subsection title to "Attorney Work Room." The room should be sized at 18 to 24 sq. ft. per person with a maximum size of 400 sq. ft.
- e) XI.1.d Law Clerk Workrooms: Delete "Law Clerk Workrooms" in its entirety.
- f) XI.1.e Law Enforcement Waiting: Clearly indicate that Law Enforcement Waiting Rooms should be provided.

A motion was made to approve the contents of Section 10 with the above changes. The motion was seconded and approved unanimously.

- 6) Section XII Court Security Area
 - a) Discussion of this section was deferred until the Task Force receives comments from the Security Working Group.
- 7) Section XIII Incustody Defendant Receiving, Holding and Transportation
 - a) Discussion of this section was deferred until the Task Force receives comments from the Security Working Group.

DAY 2 – Thursday, May 27, 1999

VII. PHASE 2: STANDARDS DEVELOPMENT – Mr. Dan Smith

- 1) Section XIV Buidling Support Services
 - a) Either in Section XIV or Section II, the guidelines should state that the number of women's restrooms and fixtures should exceed code requirements. The guidelines should also address space for public waiting outside of the courtroom, possibly in Section II, including the minimum width of corridors. Mr. Lloyd suggested including text blocks that address "like do's and don'ts" of courthouse design similar to those in the USAOC standards.
 - b) XIV.1.b First Aid Station: Change the wording to indicate that area is not mandatory (e.g. "a first aid station MAY be provided on the first floor...")
 - c) XIV.1.c Directional Signage: Delete discussion of braille lettering, this is an ADA requirement and doesn't need to be addressed.
 - d) XIV.1.d Vending Machines/Food Services: Delete sentence at end of second paragraph discussing a private dining room for court personnel
 - e) XIV.1.e Loading Dock: In the first paragraph change "shall" to "should" and "...must be monitored" to "should be monitored" in the sentence starting with "The driveway..." In the next sentence change "must be fully enclosed" to "may be fully enclosed."
 - f) XIV.1.f Supplies Staging/Surplus Furniture Storage: Delete "Surplus Furniture" from title so that it now reads "Supplies and Equipment Staging and Storage." Change first sentence to read "Most courthouses need both supplies and equipment staging and storage space."
 - g) XIV.1.g Maintenance Shops and Office: Rework this paragraph to indicate that Maintenance Shops may be needed in large buildings but not, necessarily, in smaller facilities.

Supervisor Smith moved to approve the content of Section 14, as amended. The motion was seconded and approved unanimously.

- 2) General comments:
 - a) An editing working group was formed to revise the format of the guidelines. Members of the working group are Justice Kremer, Mr. Abel, Ms. Bonderud (AOC) and Ms. Knighten (CSAC representative). The first editing meeting was scheduled for June 7, 1999. The Task Force established the following editing rules for the working group:
 - (1) Respect the content decisions of the Task Force,
 - (2) Remove unnecessary repetition,
 - (3) Express similar concepts consistently,
 - (4) Remove excess editorial comment,
 - (5) Begin with statement of general principles,
 - (6) Do not discuss furnishings except as related to facility space or design,
 - (7) Do not discuss personnel management directions and procedure except as related to facility space or design,
 - (8) Move technical details (e.g. lighting and sound values) to appendix with explanatory reference in or near the introduction,
 - (9) Remove "shalls/musts" except as required by code or statute.
 - b) Mr. Janssen suggested including a narrative section of dos and don'ts – hints and advice.
 - c) Justice Kremer suggested that an executive summary be prepared but not, necessarily, by the July 1, 1999 deadline.
 - d) Ms. Bechtel asked what the size (square feet) of a typical courthouse would be when applying the new guidelines. Justice Kremer suggested that an architectural program and diagram illustrating an average size facility be prepared by the consultant for the internal use of the Task Force. Mr. Smith agreed to prepare these documents for the next Task Force meeting based upon planning DSA is doing for a new 10-courtroom facility.

VIII. PHASE 4: FACILITY EVALUATION – Mr. Jay Smith

- 1) Mr. Jay Smith introduced the consultant team members responsible in the Phase 4 tasks: Kathleen Halaszynski, DMJM; Simon Park, DMJM; Jeff Buck, DMJM; Andy Cupples, DMJM; and Ken Jandura, SCP. He noted that the process that is going to be presented is basically contained in the Work Plan that was approved by the Task Force at its July 1998 meeting. A copy of the power point presentation detailing the evaluation process is attached.
- 2) Mr. Smith reviewed Task Force's Phase 4 duties stemming from the Lockyer-Isenberg Trial Court Funding Act of 1997
 - a) Section 77653

- (1) Document the state of existing court facilities.
 - (2) Document the need for new or modified court facilities and the extent to which current court facilities are fully utilized.
 - (3) Review and provide recommendations on concepts regarding security; operational flexibility; alternative dispute resolution; meeting space; special needs of children, families, victims, and disabled persons; technology; the dignity of the participants; and any other special needs of court facilities.
- b) Section 77654
 - (1) The state of existing court facilities.
 - (2) The need for new or modified court facilities.
 - (3) The impact which creating additional judgeships has upon court facility and other justice system facility needs.
- 3) Mr. Smith outlined the products that the consultant plans to deliver as part of the Phase 4 work. They include:
 - a) Inventory of Existing Facilities
 - b) Facility needs:
 - (1) Upgrade existing facilities
 - (2) Shortfalls based upon condition, space, function
 - (3) Future growth
 - c) Capital Development Plan To meet needs State-Wide
- 4) There are three major components of the Phase 4 work:
 - a) Data Collection which will be accomplished by gathering existing information such as floor plans, building programs, master plans, and facility capital plans; interviewing court and county representative; and on-site inspections.
 - b) Evaluation of Existing Facilities which focuses on three distinct elements: physical condition, function and space. The evaluation process will look at the court facilities on the building level as a "container" for courts uses and on the component level as elements of the courthouse. Components are defined as an increment of space within a building defined for survey and evaluation purposes. The condition evaluation focuses on assessment of condition of buildings' "core and shell" and interior spatial components. The functional evaluation will examine the suitability of buildings and components for their intended use. The spatial evaluation will compare the size of existing spaces to the "acceptable facilities guidelines" recommended by the Task Force which provides an objective basis for evaluation of the adequacy of usable area. The information gathered help establish capital budget costs of upgrading the building, site and key components for continued use.
 - c) Development of recommendations including projections of future needs. The process will examine current spatial shortfalls as well as additional space for future growth. The plan will recommend the highest and best use of existing space as well as additional facilities needed. The resulting capital plan will reflect the cost to renovate/upgrade existing court facilities, the cost for expanding existing facilities and the cost for new construction.
- 5) Mr. Smith noted that the Pilot Program was not part of the original workplan. It is being proposed as a means of validating the consultant's data collection, evaluation and planning processes. In addition, it would serve as training vehicle for consultant team members. The intent is to do a facility sampling of 5-10% of building stock, completing a full cycle of evaluation and planning. He added that the results of the pilot would be incorporated into the consultant's report as completed production work unless major problems or deficiencies were found with the process. A progress report will be presented to the task force at its next meeting in September.
- 6) Ms. Bechtel proposed that the term "unacceptable" be replaced with a more appropriate term. Mr. Klass agreed, noting that terms need to be clear. The consensus among Task Force members was that "unacceptable" should be replaced with "inadequate" or some other appropriate term.
- 7) Mr. Clarke asked if the aggregate areas would match with sections of the guidelines, with Mr. Smith responding that they will.
- 8) Mr. Smith noted that evaluation of the function and condition of facilities is inherently subjective but that their process is designed to be as specific, quantifiable, and repeatable. Mr. Buck noted

- that they couldn't use intuitive, "seat of the pants", approach since they will be evaluating approximately 400 facilities; it must be rigorous and straightforward.
- 9) Mr. Clarke asked if the rating would have ranking weights. Mr. Smith replied that this topic will be introduced later.
 - 10) Mr. Janssen asked if it is necessary to evaluate buildings built during the last 5 years. Justice Kremer replied that he thought that these buildings should be included for the database so that it is a complete product.
 - 11) Discussion of the evaluation concept:
 - a) Ms. Campos commented that the concept seemed to be vague – unsure how replacement costs relate to a timeline (i.e. 5 year later, 10 years later). Does a life cycle timeline distort a ranking number?
 - b) It was noted that this concept in an internal, in-process gauge, which represents relative ranking to overall needs. The intent of the consultants was to apply reasonable and rational expectations. It was suggested to replace the term "cost" with "points".
 - c) Mr. Courtney asked how will the 1999 UBC code changes will be address in the evaluation.
 - d) It was noted that the drawings will show spaces are being used by the courts in mixed-use buildings, but the study would not look at other county use spaces. It was also noted that the database is not an end product, but a tool for the evaluations based on the buildings' levels of efficiency and functionality.
 - e) Mr. Smith noted that the consultant team will be looking for assistance from county administrators and court management for demographics and judicial services delivery policy.
 - 12) The pilot program will have 2-3 teams reviewing the same facility to see if they get similar results.
 - a) Their suggested lists of counties from the Northern California were Alameda, Amador, Calaveras, Sutter and Yolo. From Southern California, their suggested list contained Riverside, Los Angeles and San Bernardino.
 - b) Justice Kremer suggested that they look at those courts that have a reputation of being inadequate, such as Huntington Park and Antelope Valley.
 - c) Mr. Clarke commented that the west LA court annex looks like it will be abandoned once staff and services are moved to the new facility near LAX airport. Mr. Smith replied that he was not aware of the status of this facility when the list was generated.
 - d) Mr. Abel suggested that the pilot study look at facilities that the task force has previously visited. Mr. Lloyd agreed, adding that familiarity helps.
 - e) Mr. Janssen questioned if there will be enough information based on 1 county completed to make certain that the rest of the evaluations will be going in the right direction since the rest of them will be started.
 - f) Mr. Abel suggested that since the task force will not have time to change course, it might be better to do one each of small, medium and large counties complete. Mr. Smith suggested doing 5-10 facilities in these categories.
 - g) The revised list is San Mateo, Yolo, Calaveras and Riverside.

IX. The meeting adjourned at 1:40 PM.